

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYREE NEAL JR.,

Defendant.

Case No. 14-cr-40076-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Tyree Neal Jr.'s motion requesting "the Audio/Video from the Marion Police Department for the date of 1-19-2012, which is of Government Exhibit -9- of the Post Miranda Statement taken by Officer Justin Dwyer. . . ." (Doc. 184). At Neal's sentencing hearing, Dwyer testified to what Neal said in that post-arrest statement and identified Government's Exhibit 9 as the written *Miranda* waiver Neal signed before giving the statement. Dwyer also testified that there was no audio recording and that he did not know what happened to any video recording from the police station's surveillance system. Neal states in his motion that he has already unsuccessfully sought this material from his all of his prior counsel.

The Court **DENIES** Neal's motion (Doc. 184). The Court is not in possession of any recording described by Neal, and Neal has identified no authority for the Court to order production in this closed case of any such recording from anyone else.

IT IS SO ORDERED.

DATED: March 5, 2019

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE